Inter-Parliamentary Union
For democracy. For everyone.

Venezuela

Decision adopted unanimously by the IPU Governing Council at its 208th session (Madrid, 30 November 2021)

Venezuelan National Police members stand guard outside the National Assembly on 7 January 2020 in Caracas – Cristian HERNANDEZ/AFP

VEN-10 – Biagio Pilieri
VEN-11 – José Sánchez Montiel
VEN-12 – Hernán Claret Alemán
VEN-13 – Richard Blanco
VEN-16 – Julio Borges
VEN-19 – Nora Bracho (Ms.)
VEN-20 – Ismael Garcia
VEN-22 – Williams Dávila
VEN-24 – Nirma Guarulla (Ms.)
VEN-25 – Julio Ygarza
VEN-26 – Romel Guzamana
VEN-27 – Rosmit Mantilla
VEN-28 – Renzo Prieto
VEN-29 – Gilberto Sojo
VEN-30 – Gilber Caro
VEN-31 – Luis Florido
VEN-32 – Eudoro González
VEN-33 – Jorge Millán
VEN-34 – Armando Armas
VEN-35 – Américo De Grazia
VEN-36 – Luis Padilla
VEN-37 – José Regnault
VEN-38 – Dennis Fernández (Ms.)
VEN-39 – Olivia Lozano (Ms.)
VEN-40 – Delsa Solórzano (Ms.)
VEN-41 – Robert Alcalá
VEN-42 – Gaby Arellano (Ms.)
VEN-43 – Carlos Bastardo
VEN-44 - Marialbert Barrios (Ms.)
VEN-85 – Franco Casella
VEN-86 – Edgar Zambrano
VEN-87 – Juan Pablo García
VEN-88 – Cesar Cadenas
VEN-89 – Ramón Flores Carrillo
VEN-91 – María Beatriz Martínez (Ms.)
VEN-92 – María C. Mulino de Saavedra (Ms.)
VEN-93 – José Trujillo
VEN-94 – Marianela Fernández (Ms.)
VEN-95 – Juan Pablo Guanipa
VEN-96 – Luis Silva
VEN-97 – Eliezer Sirit
VEN-98 – Rosa Petit (Ms.)
VEN-99 – Alfonso Marquina
VEN-100 – Rachid Yasbek
VEN-101 – Oneida Guaipe (Ms.)
VEN-102 – Jony Rahal
VEN-103 – Ylidio Abreu
VEN-104 – Emilio Fajardo
VEN-106 – Angel Alvarez
VEN-108 – Gilmar Marquez
VEN-109 – José Simón Calzadilla
VEN-110 – José Gregorio Graterol
VEN-111 – José Gregorio Hernández
VEN-112 – Mauligmer Baloa (Ms.)
VEN-113 – Arnoldo Benítez
VEN-114 – Alexis Paparoni
VEN-115 – Adriana Pichardo (Ms.)
VEN-116 – Teodoro Campos

VEN-45 – Amelia Belisario (Ms.)
VEN-46 – Marco Bozo
VEN-48 – Yanet Fermin (Ms.)
VEN-49 – Dinorah Figuera (Ms.)
VEN-50 – Winston Flores
VEN-51 – Omar González
VEN-52 – Stalin González
VEN-53 – Juan Guaidó
VEN-54 – Tomás Guanipa
VEN-55 – José Guerra
VEN-56 – Freddy Guevara
VEN-57 – Rafael Guzmán
VEN-58 – María G. Hernández (Ms.)
VEN-59 – Piero Maroun
VEN-60 – Juan A. Mejía
VEN-61 – Julio Montoya
VEN-62 – José M. Olivares
VEN-63 – Carlos Paparoni
VEN-64 – Miguel Pizarro
VEN-65 – Henry Ramos Allup
VEN-66 – Juan Requesens
VEN-67 – Luis E. Rondón
VEN-68 – Bolivia Suárez (Ms.)
VEN-69 – Carlos Valero
VEN-70 – Milagro Valero (Ms.)
VEN-71 – German Ferrer
VEN-72 – Adriana d'Elia (Ms.)
VEN-73 – Luis Lippa
VEN-74 – Carlos Berrizbeitia
VEN-75 – Manuela Bolívar (Ms.)
VEN-76 – Sergio Vergara
VEN-78 – Oscar Ronderos
VEN-79 – Mariela Magallanes (Ms.)
VEN-80 – Héctor Cordero
VEN-81 – José Mendoza
VEN-82 – Angel Caridad
VEN-83 – Larissa González (Ms.)
VEN-84 – Fernando Orozco
VEN-117 – Milagros Sánchez Eulate (Ms.)
VEN-118 – Denncis Pazos
VEN-119 – Karim Vera (Ms.)
VEN-120 – Ramón López
VEN-121 – Freddy Superlano
VEN-122 – Sandra Flores-Garzón (Ms.)
VEN-123 – Armando López
VEN-124 – Elimar Díaz (Ms.)
VEN-125 – Yajaira Forero (Ms.)
VEN-126 – Maribel Guedez (Ms.)
VEN-127 – Karin Salanova (Ms.)
VEN-128 – Antonio Geara
VEN-129 – Joaquín Aguilar
VEN-130 – Juan Carlos Velasco
VEN-131 – Carmen María Sivoli (Ms.)
VEN-132 – Milagros Paz (Ms.)
VEN-133 – Jesus Yanez
VEN-134 – Desiree Barboza (Ms.)
VEN-135 – Sonia A. Medina G. (Ms.)
VEN-136 – Héctor Vargas
VEN-137 – Carlos A. Lozano Parra
VEN-138 – Luis Stefanelli
VEN-139 – William Barrientos
VEN-140 – Antonio Aranguren
VEN-141 – Ana Salas (Ms.)
VEN-142 – Ismael León
VEN-143 – Julio César Reyes
VEN-144 – Ángel Torres
VEN-145 – Tamara Adrián (Ms.)
VEN-146 – Deyalitza Aray (Ms.)
VEN-147 – Yolanda Tortolero (Ms.)
VEN-148 – Carlos Prosperi
VEN-149 – Addy Valero (Ms.)
VEN-150 – Zandra Castillo (Ms)
VEN-151 – Marco Aurelio Quiñones
VEN-152 – Carlos Andrés González
VEN-153 – Carlos Michelangeli
VEN-154 – César Alonso

Alleged human rights violations

- ✓ Torture, ill-treatment and other acts of violence
- ✓ Threats, acts of intimidation
- ✓ Arbitrary arrest and detention
- ✓ Lack of due process at the investigation stage
- ✓ Excessive delays
- ✓ Violation of freedom of opinion and expression
- ✓ Violation of freedom of assembly and association
- ✓ Violation of freedom of movement
- ✓ Abusive revocation or suspension of the parliamentary mandate
- ✓ Failure to respect parliamentary immunity
- ✓ Other acts obstructing the exercise of the parliamentary mandate
- ✓ Impunity
- ✓ Other violations: Right to privacy

A. Summary of the case [1]

Case VEN-COLL-06

Venezuela: Parliament affiliated to the IPU

Victims: 134 opposition members of parliament (93 men and 41 women)

Qualified complainant(s): Section I.(1)(c) of the Committee Procedure (Annex I)

Submission of complaint: March 2017

Recent IPU decision: March 2021

IPU mission: August 2021

Recent Committee hearings: Hearings with members of the governing and opposition parties at the 141st IPU Assembly (October 2019)

Recent follow-up:
- Communication from the authorities: - - -
- Communication from the complainant: November 2021
- Communication to the authorities: Letter to the President of the Republic (November 2020)
- Communication to the complainant: November 2021

The case concerns credible and serious allegations of human rights violations affecting 134 parliamentarians from the coalition of the *Mesa de la Unidad Democrática* (Democratic Unity Roundtable – MUD), against the backdrop of continuous efforts by Venezuela's executive and judicial authorities to undermine the functioning of the National Assembly elected in 2015. The MUD is opposed to President Nicolas Maduro's government and obtained a majority of seats in the National Assembly in the parliamentary elections of 6 December 2015.

According to the complainant, the parliamentarians elected in 2015 have been subject to the following:

Almost all parliamentarians listed in the present case have been attacked or otherwise intimidated with impunity by law enforcement officers and/or pro-government officials and supporters during demonstrations, inside parliament and/or at their homes. At least 11 National Assembly members were arrested and released later, reportedly due to politically motivated legal proceedings. In all of these cases, the members were detained without due respect for the constitutional provisions on parliamentary immunity. There are also serious concerns regarding respect for due process and their treatment in detention. People associated with opposition parliamentarians have also been detained and harassed. One parliamentarian is currently under house arrest, 36 are in exile, six have recently returned to Venezuela, 23 are engaged in court proceedings, and six have been barred from holding public office. The passports of at least 13 members of parliament have been confiscated, not been renewed, or cancelled by the authorities, reportedly as a way to exert pressure and to prevent them from travelling abroad to denounce what is happening in Venezuela.

On 31 August 2020, President Nicolas Maduro pardoned 110 members of the political opposition, who had been accused of committing criminal acts. The decision meant the closure of ongoing criminal proceedings against 26 parliamentarians listed in the present case and the release of four of them.

Parliamentary elections took place on 6 December 2020. A new legislative body was formally inaugurated on 5 January 2021. The National Assembly elected in 2015 has, however, decided to continue functioning through a delegated committee "until free, fair and verifiable presidential and parliamentary elections have been held in 2021, an exceptional political event occurs in 2021, or even for an additional annual parliamentary term after 5 January 2021". The complainant states that persecution, harassment and intimidation of opposition parliamentarians elected in 2015 have increased and that these members of parliament fear for their lives, freedom and physical integrity.

Since 2013, the IPU had been making sustained efforts to send a delegation to Venezuela. In October 2018, the IPU governing bodies decided that the mission would comprise members of both the IPU Committee on the Human Rights of Parliamentarians (CHRP) and the IPU Executive Committee, given the complexity of the political situation and the recurrent finding that individual human rights cases of parliamentarians were part of a broader context of institutional and political crisis. Following receipt of an official invitation from Venezuela, the IPU joint mission travelled to Venezuela from 23 to 27 August 2021. The delegation was able to meet with a large variety of state authorities and stakeholders as well as with more than 60 of the 134 parliamentarians elected in 2015 with cases under examination by the CHRP and to obtain first-hand information on their individual situations.

In preparing for the mission, the IPU delegation had requested facilitation of a visit to Freddy Guevara, opposition member of parliament elected in 2015, who had been arrested on 12 July 2021 – his

[1] For the purposes of this decision, the term "opposition" relates to members of parliament from political groups or parties whose decision-making power is limited and who are opposed to the ruling power.

whereabouts remaining unknown until 15 July, when he was brought before the court. Having had persistent concerns about the circumstances of his incarceration and right to due process, the IPU was pleased to learn of Mr. Guevara's release on 15 August 2021, one week before the delegation's arrival in Caracas.

B. Decision

The Governing Council of the Inter-Parliamentary Union,

1. *Thanks* the Venezuelan authorities for their cooperation during the recent joint mission by the IPU Executive Committee and the CHRP to Venezuela and for facilitating its conduct;

2. *Thanks* also all persons involved in Venezuelan political life and civil society actors who agreed to meet with the IPU delegation and provide their various points of view; *acknowledges* that meeting with them allowed the Committee to gain a better understanding of the issues at hand; *regrets*, nevertheless, that, despite requests in this regard, neither the President of the Republic, nor the Attorney-General, the Minister of People's Power for Foreign Affairs, the Ombudsman, the President of the Supreme Court of Justice or the President of the National Electoral Council met with the delegation, although it *appreciates* the willingness of the representatives of some of these institutions who attended the scheduled meetings to share very valuable information;

3. *Regrets* that it was not possible for the delegation to visit Mr. Gilberto Sojo, an opposition parliamentarian elected in 2015 who was in detention at the time of the mission, despite repeated requests to the Venezuelan authorities in this regard; *welcomes*, nevertheless, Mr. Sojo's release on 3 September 2021, barely a week after the delegation's departure from Caracas; *regrets* also that the competent Venezuelan authorities were not able to facilitate the delegation's access to the residence of the member of parliament elected in 2015, Mr. Juan Requesens, who is under house arrest, despite numerous requests;

4. *Is deeply concerned* by detailed information received by the IPU delegation about acts of physical violence against parliamentarians, disproportionately targeting women parliamentarians merely for being women, during public demonstrations over the past years; and *recalls* in this regard that sexism and gender-based violence against women parliamentarians undermine their dignity, create an intimidating, hostile, degrading, humiliating or offensive environment and perpetuate gender inequality and stereotypes;

5. *Notes with great concern* that, according to information received by the IPU delegation, political dissidents, including opposition parliamentarians, are arrested and released recurrently as a means used by state forces to pressure the opposition, particularly considering that it is common for the whereabouts of detainees to remain unknown for several hours or even days before appearing in court or being released;

6. *Denounces*, once again, the extensive repression to which the authorities and their supporters have resorted over the past few years against opposition parliamentarians because of their political opinions, as attested by the continuous extremely serious incidents of ill-treatment, harassment, threats and stigmatization carried out by state agents, paramilitary groups and violent groups of government supporters in a climate of impunity; *strongly denounces* the multiple steps taken by the executive and judicial authorities over the course of the 2016–2021 legislature to undermine the integrity and independence of the National Assembly; and *reiterates* that this situation taken as a whole amounts to a clear attempt to thwart the effective exercise of the will of the people as expressed in the election results of December 2015;

7. *Reiterates its view* that the harassment of opposition parliamentarians elected in 2015 is a direct consequence of the prominent role they have played as outspoken opponents of President Maduro's government and as members of the opposition-led National Assembly elected in 2015; *urges* the authorities once again to put an immediate end to all forms of persecution against opposition parliamentarians elected in 2015, to ensure that all relevant state authorities respect their human rights, and to fully investigate and establish accountability for reported violations of their rights; *requests* the Venezuelan authorities to provide official information on any relevant developments in this regard and on any action taken to this end;

8. *Remains deeply concerned about the* findings of the mission reports of the United Nations Human Rights Council Independent International Fact-Finding mission on Venezuela, published in September 2020 and September 2021, which give further weight to the accusations of political repression and the responsibility of the State at the highest level, also reinforced by the recent announcement of the opening of an investigation into the situation in Venezuela by the International Criminal Court; and *expresses its firm hope*, once again, that the State of Venezuela, with the support of the international community, will be able to address the violations and crimes documented in these reports;

9. *Reaffirms its view*, reinforced by the findings of the IPU mission, that the issues in the cases at hand are part of the larger political crisis in Venezuela, which can only be solved through political dialogue and by the Venezuelans themselves; *considers* that the current process of dialogue is a golden opportunity to reach broad consensus across the political spectrum on how to move forward; *trusts* in this regard that the government representatives will soon decide to resume the talks in Mexico; *reaffirms* the IPU's readiness to assist in any efforts aimed at strengthening democracy in Venezuela; and *requests* the relevant authorities to provi*de* further information on how this assistance can best be provided;

10. *Reiterates its calls on* all IPU Member Parliaments, IPU permanent observers, parliamentary assemblies, in particular regional parliamentary bodies such as *Parlatino*, *Parlamericas* and *Parlasur*, as well as relevant human rights organizations, to take concrete actions in support of the urgent resolution of the individual cases at hand and the political crisis in Venezuela in a manner consistent with democratic and human rights values; and *hopes* to be able to rely on the assistance of all relevant regional and international organizations;

11. *Requests* the Secretary General to convey this decision to the relevant Venezuelan authorities, including the President of the 2020 National Assembly, the offices of the Public Prosecutor and Ombudsperson, the National Council on Human Rights, as well as to the complainant and any third party likely to be in a position to supply relevant information;

12. *Requests* the Committee to continue examining this case and to report back to it in due course.